

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AECON BUILDINGS, INC.,

Plaintiff,

v.

ZURICH NORTH AMERICA, et al.,

Defendants.

Case No. C07-832MJP

ORDER GRANTING IN PART
PLAINTIFF'S MOTION TO
COMPEL DISCOVERY
RESPONSES FROM ZURICH
DEFENDANTS

This matter comes before the Court on Plaintiff Aecon's motion to compel discovery responses from Zurich North America, Zurich American Insurance Company, American Zurich Insurance Company, Northern Insurance Company of New York, and Valiant Insurance Company (collectively "the Zurich Defendants"). (Dkt. No. 54.) Having considered the motion, response (Dkt. No. 59), reply (Dkt. No. 65), all documents submitted in support and the balance of the record, the Court GRANTS IN PART Plaintiff's motion to compel and ORDERS as follows:


- 1) Within ten (10) calendar days of the date of this order, the Zurich Defendants must produce to Aecon, in their entirety:
 - a) All Western Partitions' claims files that relate to the Quinalt Beach Resort and Casino project;
 - b) All reserve information that relates to any Western Partition claims or Aecon's claims associated with the Quinalt project; and
 - c) All reinsurance agreements that relate to any Western Partition claims or Aecon's claims associated with the Quinalt project. See Fed. R. Civ. P. 26(a)(1)(D). The Zurich Defendants need not produce any other reinsurance information.

1 See Heights at Issaquah Ridge Owners Ass'n v. Steadfast Ins. Co., C07-
2 1045RSM, 2007 WL 4410260 (W.D. Wash. Dec. 13, 2007) (noting that to obtain
3 discovery of communications between insured and reinsurer, plaintiff must
4 demonstrate their relevance to the bad faith claim, and explaining that reinsurance
5 information is rarely relevant to a claim of bad faith).

6 3) Plaintiff's request for fees and costs is GRANTED. Within ten (10) calendar days of this
7 order, Plaintiff shall provide a declaration outlining the fees and costs incurred in bringing
8 this motion.

9 The clerk is directed to send copies of this order to all counsel of record.

10 Dated: April 25, 2008.

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12 Marsha J. Pechman
13 United States District Judge
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